

REMARKS

Summary of the Office Action

The drawings stand objected to under 37 CFR 1.83(a).

Claims 1-16 stand objected to because of informalities.

Claims 1, 3, 5, 6, and 16 stand rejected under 35 U.S.C. § 102(b), as being anticipated by Moser (US 5,729,812).

Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Hayashi et al. (US 2002/0009306).

Claims 7, 8 and 10-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Yura et al. (US 6,795,678).

Claims 9 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Asanuma (JP 02-210480).

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Yura et al. (US 6,795,678) as applied to claims 7, 8 and 10-13 above, and further in view of Asanuma (JP 02-210480).

Summary of the Response to the Office Action

Applicants have amended claims 1 and 16, and cancelled claims 9, 14, and 15.

Accordingly, claims 1-8, 10-13, and 16 are presently pending.

The Objection to the Drawings

The drawings stand objected to under 37 CFR 1.83(a) because they fail to show every feature of the invention specified in the claims (i.e., claims 9, 14, and 15). Applicants cancel claims 9, 14, and 15 in accordance with the comments of the Office Action. Accordingly, Applicants respectfully request that the objection to the drawings be withdrawn.

The Objection to the Claims

Applicants amend claims 1 and 16 to provide antecedent basis. Accordingly, Applicants respectfully request the objections to claims 1-16 be withdrawn.

The Rejection of claims 1-16

Claims 1, 3, 5, 6, and 16 stand rejected under 35 U.S.C. § 102(b), as being anticipated by Moser (US 5,729,812). Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Hayashi et al. (US 2002/0009306). Claims 7, 8 and 10-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Yura et al. (US 6,795,678). Claims 9 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Asanuma (JP 02-210480). Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Yura et al. (US 6,795,678) as applied to claims 7, 8 and 10-13 above, and further in view of Asanuma (JP 02-210480). Applicants respectfully traverse the rejections for at least the following reasons.

With respect to independent claim 1, as amended, Applicants respectfully submit that Moser fails to teach or suggest a combination comprising a fixing belt heating unit that heats an inner peripheral surface and/or the outer peripheral surface of a fixing belt. The Office Action suggests that Figure 1 of Moser discloses a “fixing belt heating unit that heats an inner peripheral

surface and/or the outer peripheral surface of the fixing belt” as claimed. Applicants respectfully disagree. Here, the cited portions of Moser refer only to support rollers (i.e., support roll 22 and 28 of Moser) in contact with the **inner surface** of the fixing belt. Thus, Applicants respectfully assert that Moser only discloses creating tension in the fixing belt with rollers contacting the inner peripheral surface of the fixing belt and lacks any teaching of creating tension in the fixing belt with rollers contacting the outer peripheral surface of the fixing belt. Specifically, Moser lacks any teaching of heating the outer peripheral surface of the fixing belt. Accordingly, Applicants respectfully submit that Moser fails to teach or suggest the combination of features recited by independent claim 1, and hence dependent claims 2-15.

In addition, Applicants respectfully assert that Hayashi et al., Yura et al., and Asanuma, whether taken singly or combined, fail to remedy the deficiencies of Moser, as detailed above since none of Hayashi et al., Yura et al., and Asanuma teach or suggest a “fixing belt heating unit that heats an inner peripheral surface and/or the outer peripheral surface of the fixing belt,” as required by independent claim 1, and hence dependent claims 2-8 and 10-13.

Accordingly, Applicants respectfully assert that independent claim 1, as amended, is allowable. Moreover, Applicants respectfully submit that independent claim 16, as amended, is allowable for reasons similar to those of independent claim 1, as amended.

Applicants respectfully assert that the rejection of independent claims 1 and 16 under 35 U.S.C. §102 should be withdrawn because Moser fails to teach or suggest each feature of independent claims 1 and 16, as amended. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 2

USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Similarly, Applicants respectfully assert that the rejection of claims under 35 U.S.C. § 103(a) should be withdrawn because no combination of cited references teach or suggest all the claim limitations of independent claims 1 and 16. As pointed out in MPEP § 2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).” Furthermore, Applicants respectfully assert that dependent claims 2-8 and 10-13 are allowable at least because of their respective dependencies from independent claim 1, as amended, and the reasons set forth above.

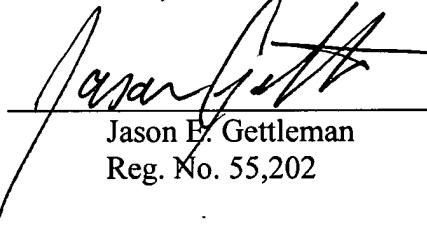
CONCLUSION

The foregoing amendments are being made to place the application in condition for allowance. A favorable action on the merits is respectfully requested.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.R.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Jason E. Gentleman
Reg. No. 55,202

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Customer No. 09629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: (202) 739-3000

Facsimile: (202) 739-3001